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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/392,822

Filing Date September 9, 1999

First Named Inventor YU, DE-CHAO

Group Art Unit 1632

Examiner Name WOITACH, JOSEPH T.

Total Number of Pages in This Submission 21

Attorney Docket Number CELL-014

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☒ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Documents
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
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- ☐ After Allowance Communication to Group
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- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
 - 1. Paper copy Sequence Listing
 - 2. Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name PAMELA J. SHERWOOD, Reg. No. 36,677

Signature *Pamela Sherwood*

Date August 22, 2002

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AMENDMENT 37 C.F.R. 1.111 Address to: Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	CELL-014
	First Named Inventor	D.C. Yu
	Application Number	09/392,822
	Filing Date	September 9, 1999
	Group Art Unit	1632
	Examiner Name	J. Voitach
	Title: <i>Adenovirus Vectors containing Cell Status-Specific Response Elements and Methods of Use thereof</i>	

Sir:

This amendment is responsive to the Office Action dated May 22, 2002, which set a three-month period for response.

Please amend the application as follows:

IN THE CLAIMS

Please replace the pending claims with the correspondingly numbered claims below. Claims amended herein are noted by the text in parentheses. Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment; captioned: "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

IN THE SPECIFICATION

Page 9, lines 5-15, replace with the following rewritten description:

Figure 1 is a schematic representation of adenovirus vector CN796, in which the E1A gene is under transcriptional control of an HRE and a PSA-TRE, as described in Example 1.

Figure 2 shows the nucleotide sequence of the 5' flanking region of a human E2F1 gene (SEQ ID NO: 1). The asterisk indicates the transcription start site.

Figure 3 depicts a nucleotide sequence of a prostate-specific antigen TRE.

Figure 4 depicts a nucleotide sequence of a carcinoembryonic antigen TRE.

Figure 5 depicts a nucleotide sequence of a human glandular kallikrein TRE.

Figure 6 depicts a nucleotide sequence of a mucin TRE.

Figure 7 depicts a nucleotide sequence of a rat probasin TRE.

Figure 8 depicts a nucleotide sequence and translated amino acid sequence of an adenovirus death protein.

Replace the Sequence Listing with the attached substitute Sequence Listing.

1. (reiterated) A replication-competent adenovirus vector comprising, a hypoxia responsive element (HRE) operably linked to an adenovirus gene essential for replication selected from the group consisting of E1A, E1B and E4, wherein said HRE comprises a binding site for hypoxia inducible factor-1.

8. (reiterated) The adenovirus vector of claim 1, wherein the HRE is human.

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